

Timothy E. Corrison, Esq.

**CONNELL FOLEY LLP**

56 Livingston Avenue

Roseland, NJ 07068

(973) 535-0500

[tcorrison@connellfoley.com](mailto:tcorrison@connellfoley.com)

*Attorneys for Defendant/Counterclaimant/Third-Party Plaintiff*

*9440 Fairview Avenue LLC, and Defendants Timothy Murray,*

*Joseph M. Sanzari Inc., North Bergen Asphalt LLC & Tilcon New York*

Henry E. Klingeman, Esq.

Helen A. Nau, Esq.

**KROVATIN KLINGEMAN LLC**

60 Park Place, Suite 1100

Newark, NJ 07102

(973) 424-9777

[hklingeman@krovatin.com](mailto:hklingeman@krovatin.com)

[hnau@krovatin.com](mailto:hnau@krovatin.com)

*Attorneys for Defendant Joseph Sanzari, individually*

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

AMA REALTY LLC,

Plaintiff/Counterclaim  
Defendant,

v.

9440 FAIRVIEW AVENUE, LLC, JOSEPH  
SANZARI, TIMOTHY MURRAY, JOSEPH  
M. SANZARI INC., NORTH BERGEN  
ASPHALT LLC, and TILCON NEW YORK,  
INC.

Defendants/Counterclaimant/  
Third-Party Plaintiff

v.

MILLENNIUM RESOURCES RECOVERY,  
LTD, PERFECT BODY & FENDERS CO.,  
INC., and JOHN DOES 1-5.

Third-Party Defendants.

CIVIL ACTION NO.: 02:13-cv-00457

***FILED ELECTRONICALLY***

**NOTICE OF MOTION *IN LIMINE* TO  
PRECLUDE PLAINTIFF FROM  
REFERRING TO DEFENDANTS  
COLLECTIVELY AND AS THE  
“SANZARI DEFENDANTS” AND TO  
PRECLUDE PLAINTIFF FROM  
INTRODUCING EVIDENCE OUTSIDE  
OF THE SCOPE OF THE REMAINING  
ALLEGED CLAIMS AS AGAINST THE  
REMAINING DEFENDANTS**

**TO:** Paul Batista, Esq.  
26 Broadway – Suite 1900  
New York, NY 10004

Michael Farhi, Esq.  
Kates Nussman Rapone Ellis & Farhi, LLP  
190 Moore Street, Room 306  
Hackensack, NJ 07601  
*Attorneys for Plaintiff, AMA Realty LLC*

**PLEASE TAKE NOTICE** that on September 26, 2019, at 10:30 a.m. or as soon thereafter as counsel may be heard, Defendant/Counterclaimant/Third-Party Plaintiff 9440 Fairview Avenue LLC, and Defendants Joseph M. Sanzari, Inc., North Bergen Asphalt LLC, and Timothy Murray, individually, by their undersigned counsel, Connell Foley LLP, and Defendant Joseph Sanzari, individually, by his counsel Krovatin Klingeman LLC (collectively “Defendants”), shall move before the Honorable John M. Vazquez, U.S.D.J., at the Martin Luther King Federal Building & U.S. Courthouse, Newark, New Jersey, for entry of an Order: (1) precluding Plaintiff from referring to the Defendants collectively and as the “Sanzari Defendants” and (2) precluding Plaintiff from introducing evidence outside of the scope of the remaining alleged claims as against the remaining defendants.

**PLEASE TAKE FURTHER NOTICE** that in support of this motion, Defendants will rely upon the Brief and the Certification of Timothy E. Corrison and Exhibits thereto, and any additional submissions made hereafter; and

**PLEASE TAKE FURTHER NOTICE** that a proposed form of Order has been submitted herewith pursuant to the Rules of this Court; and

**PLEASE TAKE FURTHER NOTICE** that oral argument is requested on this matter.

**CONNELL FOLEY LLP**

By: /s/ Timothy E. Corrison, Esq.  
[tcorrison@connellfoley.com](mailto:tcorrison@connellfoley.com)

*Attorneys for Defendant/Counterclaimant 9440  
Fairview Avenue LLC, and Defendants Joseph M.  
Sanzari, Inc., North Bergen Asphalt LLC and  
Timothy Murray, individually & Tilcon New York*

**KROVATIN KLINGEMAN LLC**

By: /s/ Henry E. Klingeman, Esq.  
[hklingeman@krovatin.com](mailto:hklingeman@krovatin.com)

*Attorneys for Defendant Joseph Sanzari,  
individually*

Dated: July 15, 2019